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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
10)
11 Plaintiff,) Case No.: 2:20-mj-00709-BNW-1
12)
13 vs.)
14) **STIPULATION TO CONTINUE
15 SHEENA ELKIND,) PRELIMINARY EXAMINATION DATE
16)
17) **(TENTH REQUEST)**
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, District of Nevada, and Shaheen Torgoley, Assistant United
18 States Attorney, counsel for the United States of America, and Gabriel L. Grasso, Esq,
19 counsel for SHEENA ELKIND, that the Preliminary Examination hearing currently
20 scheduled for November 23, 2021 at 10:00 a.m., be vacated and set to a date and time
21 convenient to this court but no sooner than sixty (60) days.
22
23 The Stipulation is entered into for the following reasons:
24
25 1. The parties are currently in pre-indictment negotiations meant to resolve this
26 case by the filing of an Information.
27
28 2. Ms. ELKIND is on Pretrial Release and does not object to the continuance.
3. The parties agree to the continuance.

1 4. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow counsel for defendant sufficient time within which to be able to
3 effectively and complete investigation of the discovery materials provided.
4 5. Denial of this request for continuance would result in a miscarriage of justice.
5 6. The additional time requested by this Stipulation is excusable in computing the
6 time within which the trial herein must commence pursuant to the Speedy Trial
7 Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors
8 under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).
9 7. This is the tenth request for a continuance of the preliminary hearing date in this
10 case.

11 DATED this 12th day of November 2021.

13 GABRIEL L. GRASSO, P.C.
14 Counsel for SHEENA ELKIND

15 By /s/ Gabriel L. Grasso
16 GABRIEL L. GRASSO, ESQ.

13 CHRISTOPHER CHIOU
14 Acting United States Attorney

15 By /s/ Shaheen Torgoley
16 Assistant United States Attorney

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,) Case No.: 2:20-mj-00709-BNW-1
vs.)
SHEENA ELKIND,) **FINDINGS OF FACT, CONCLUSIONS
Defendant.) OF LAW AND ORDER**

)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties are currently in pre-indictment negotiations meant to resolve this case by the filing of an Information.
2. Ms. ELKIND is on Pretrial Release and does not object to the continuance.
3. The parties agree to the continuance.
4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.
5. Denial of this request for continuance would result in a miscarriage of justice.
6. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial

Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors
1 under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

2 7. This is the ninth request for a continuance of the preliminary hearing date in this
3 case.
4

5 **CONCLUSIONS OF LAW**

6 The ends of justice served by granting said continuance outweigh the best interest
7 of the public and the defendant in a speedy trial, since the failure to grant said continuance
8 would be likely to result in a miscarriage of justice, would deny the parties herein sufficient
9 time and the opportunity within which to be able to effectively and thoroughly prepare for
10 trial, taking into account the exercise of due diligence.
11

12 The continuance sought herein is excusable under the Speedy Trial Act, Title 18,
13 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title
14 18, United States Code, § 3161(h)(7)(B)(i), (iv).

15
16 **ORDER**

17 IT IS THEREFORE ORDERED that the Preliminary Examination hearing currently
18 scheduled for November 23, 2021, at 10:00 a.m., be vacated and continued to
19 January 27, 2022 at 1:00 p.m.
20

21
22 DATED this 15th day of November, 2021.
23

24 
25 Ben Wexler
26 UNITED STATES JUDGE
27
28